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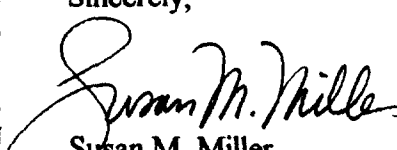
Office of the Secretary
Common Carrier Bureau
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

Re: Comments of the Network Interconnection Interoperability
Forum Sponsored by the Alliance For Telecommunications For
Industry Solutions In CC Docket No.95-20, In the Matter of
Computer III Further Remand Proceedings: Bell Operating
Company Provision of Enhanced Services and CC Docket No. 98-
10 1998 Biennial Regulatory Review -- Review of Computer III
and ONA Safeguards and Requirements

Dear Secretary:

Attached herewith please find an original and eleven (11) copies of
the comments of the Network Interconnection Interoperability
Forum sponsored by the Alliance for Telecommunications for
Industry Solutions in the above-referenced proceeding. If you have
any questions, please feel free to contact me at (202) 434-8828.

Sincerely,


Susan M. Miller
Vice President and
General Counsel

cc: International Transcription Service
Janice Myles, Common Carrier Bureau

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)

Computer III Further Remand Proceedings:)
Bell Operating Company)
Provision of Enhanced Services)

CC Docket No. 95-20

1998 Biennial Regulatory Review --)
Review of *Computer III* and ONA)
Safeguards and Requirements)

CC Docket No. 98-10

COMMENTS OF
THE NETWORK INTERCONNECTION INTEROPERABILITY FORUM
OF
THE ALLIANCE FOR TELECOMMUNICATIONS INDUSTRY SOLUTIONS, INC.

Submitted By:

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Washington, DC 20005
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March 27, 1998

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
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<i>Computer III</i> Further Remand Proceedings:)	CC Docket No. 95-20
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1998 Biennial Regulatory Review –)	CC Docket No. 98-10
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**COMMENTS OF
THE NETWORK INTERCONNECTION INTEROPERABILITY FORUM
OF
THE ALLIANCE FOR TELECOMMUNICATIONS INDUSTRY SOLUTIONS, INC.**

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SUMMARY

By these comments, the NIIF, as sponsored by ATIS, provides background information regarding the processes of the NIIF, particularly as these processes relate to the role of the NIIF in addressing ESP issues as those processes were originally performed by the ATIS-sponsored Information Industry Liaison Committee ("IILC"). These comments also respond to those specific questions posed about the NIIF in the FCC's Further Notice.

Formed in 1996 and initiated in 1997, the NIIF, consisting of its General Session and five standing committees, provides an open forum to encourage the discussion and resolution, on a voluntary basis, of industry-wide issues associated with telecommunications network interconnection and interoperability which involve network architecture, management, testing and operations and facilitates the exchange of information concerning these topics.

Resolutions of the NIIF are achieved by consensus which is established when substantial agreement (i.e. more than a simple majority but less than unanimity) has been reached among interest groups (those materially affected by the outcome or result) participating in the consideration of the subject at hand. Comments, concerns and contributions from participants will be considered carefully and in good faith in reaching consensus recommendations and resolutions. Under some circumstances, consensus is achieved when the majority no longer wishes to articulate its objection. In other cases, the opinion of the minority may, upon request, be recorded with the consensus of the majority.

Of the five NIIF committees, the Network Interconnection Architecture Committee ("NIAC") which addresses and resolves industry-wide issues associated with telecommunications network architecture and technical interconnection, including ONA and/or network interaction, resolves those ESP issues transferred to it from the IILC. Unique to the NIIF's processes are the

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Systematic Uniformity Process as well as ESP information requests. The Systematic Uniformity Process provides a systematic framework to facilitate the development and deployment of ONA services. This process does not, however, dictate the implementation of the ESP uniform service request. Implementation remains an individual company decision. Nor does the resolution derived from this process mean an agreement has been reached to uniformly implement the proposed service nor the technology on a national basis. This process, may however, serve as the starting point for consideration of whether an ESP will offer its service on a regional, local, or niche market basis. As such, the NIIF would have no further information nor role in the rollout of these ESP services. They are appropriately the subject of negotiations between the BOC or GTE and the ESP seeking the service. The NIAC's role is limited to those issues brought before it by an interested party and defined as having impacts which are industry-wide in scope.

With respect to the BOC/GTE 120 day request process, the NIIF takes no position as to whether it should be eliminated. However, should the Commission ultimately decide that it would be appropriate for those issues from requesting ESPs which are technical and operational in nature and arise in the context of the 120 day request process to be addressed within the NIIF, the NIIF would continue to offer its processes consistent with its stated mission. The NIIF dovetails its own activities to the current regulatory framework. If the regulatory framework and the related BOC/GTE reporting requirements were to change, the NIIF could respond and adapt its processes accordingly.

The NIIF continues to encourage the active participation of the ESP community as well as recommendations from ESPs on how the NIIF may improve its processes and operations to instill a renewed ESP interest.

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**COMMENTS OF
THE NETWORK INTERCONNECTION INTEROPERABILITY FORUM
OF
THE ALLIANCE FOR TELECOMMUNICATIONS INDUSTRY SOLUTIONS, INC.**

The Network Interconnection Interoperability Forum ("NIIF" or the "Forum") as sponsored by the Alliance For Telecommunications Industry Solutions ("ATIS") hereby files these comments with the Federal Communications Commission (the "FCC" or the "Commission") in response to the FCC's Further Notice of Proposed Rulemaking ("Further Notice"), In the Matter of Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services, CC Docket No. 95-20; and 1998 Biennial Regulatory Review -- Review of Computer III and ONA Safeguards and Requirements, CC Docket No. 98-10, FCC 98-8, adopted January 29, 1998 and released January 30, 1998.

The NIIF comments provide background information regarding the processes of the NIIF, particularly as these processes relate to the role of the NIIF in addressing enhanced service provider ("ESP") issues as those processes were originally performed by the ATIS-sponsored

Information Industry Liaison Committee ("IILC"). These comments also respond to those specific questions posed about the NIIF in the FCC's Further Notice.¹

These comments reflect the consensus view of the NIIF participants. As such, the information and views expressed herein represent substantial agreement as it was reached by the directly and materially affected interest groups in the NIIF.

I. THE NIIF AND ITS PROCESSES

Formed in 1996 and initiated in January, 1997², the NIIF provides an open forum to encourage the discussion and resolution, on a voluntary basis, of industry-wide issues associated with telecommunications network interconnection and interoperability which involve network architecture, management, testing and operations and facilitates the exchange of information concerning these topics.

The organizational structure of the NIIF consists of the General Session and five standing

¹ For purposes of these Comments, the NIIF continues to use the terminology "enhanced service" and "enhanced service provider" as its processes and procedures have been developed using this terminology. The NIIF acknowledges that the Commission has concluded that the services the Commission has previously considered to be "enhanced services" are now "information services" as defined in the Telecommunications Act of 1996 (the "Act"). See Further Notice at 6 n.17; see also Further Notice at ¶s 38-40. The NIIF has not yet reflected these changes in terminology in its processes and procedures.

² The NIIF and its five standing committees were formed in 1996 at the direction of the ATIS Board of Directors after it studied and directed consolidation of three existing but separate ATIS forums: the Information Industry Liaison Committee, the Industry Carrier Compatibility Forum, and the Network Operations Forum. This change was designed to consolidate and focus industry attention and activity on the interconnection matters currently being worked by the industry as well as position ATIS committees to maximize limited industry resources in addressing future issues related to interconnection. Letter from George L. Edwards, ATIS President, to Peter Guggina (MCI), CLC Chair and Mike Drew (GTE), IILC Chair (June 26, 1996) (on file at ATIS).

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committees: 1) the Network Testing Committee ("NTC"); 2) the Network Installation and Maintenance Committee ("NIMC"); 3) the Network Management Committee ("NMC"); 4) the Network Rating and Routing Information Committee ("NRRIC"); and 5) the Network Interconnection Architecture Committee ("NIAC").

The NIIF General Session is the deliberative body in which issues are accepted and wherein, should the respective NIIF standing committee so recommend, issues are placed into the status of final closure. The Forum General Session also performs other functions such as the establishment of liaisons with other committees and organizations whose work relates to that of the NIIF, the development and maintenance of the NIIF Principles and Procedures, the management of appeals and concerns as they relate to due process afforded in the NIIF, and administrative items (calendars for future meetings and meeting hosts as well as secretarial support and funding for committee administrative support).³

The five NIIF standing committees develop recommendations and consensus resolutions for issues which may have been introduced first at the NIIF General Session and then assigned to the appropriate NIIF standing committee or for those issues which may have been introduced initially and accepted directly by participants in the standing committees, subject to consensus approval at the next NIIF General Session.

As a forum under the auspices of the Carrier Liaison Committee ("CLC"), decisions/resolutions of the NIIF are achieved via the consensus process as defined in the CLC

³ NIIF Principles and Procedures, Version 1 (December 10, 1997), at 7-8. The NIIF Principles and Procedures are available at Attachment 1.

Principles and Procedures. Consensus is established when substantial agreement has been reached among interest groups participating in the consideration of the subject at hand. Interest groups are those materially affected by the outcome or result. Substantial agreement means more than a simple majority, but not necessarily unanimity. Comments, concerns and contributions from participants will be considered carefully and in good faith in reaching consensus recommendations and resolutions. The consensus process is to be free from interest group dominance, requiring that all views and objections be considered. This requires that a concerted effort be made toward issue resolution. Under some circumstances, consensus is achieved when the minority no longer wishes to articulate its objection. In other cases, the opinion of the minority may, upon request, be recorded with the consensus of the majority.⁴

The NIIF issue resolution process has three steps: 1) issue acceptance; 2) initial closure; and 3) final closure. The first of these steps, issue acceptance, begins when a participant or an interested party (i.e. the “issue originator”) brings an issue before the NIIF or one of its standing committees. New issues may be presented and accepted initially at the NIIF standing committees. However, should the issue first be presented at a standing committee, the NIIF, in its next General Session meeting, will review for acceptance those issues which were accepted at the committee level, as well as review for acceptance and the appropriate committee assignment, new issues brought directly to the NIIF General Session. Once an issue is accepted and assigned to the appropriate committee, the issue originator’s presence is not necessarily required for the issue to

⁴ CLC Principles and Procedures § 6.8.7, at 12 (February 1997). The CLC Principles and Procedures are available at Attachment B of the NIIF Principles and Procedures.

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be worked, but it is desired. Allowing issues to originate at the NIIF or the committee level affords flexibility and a more expedient approach for the issue originator as the issue originator need only attend a single standing committee meeting to introduce the issue. It also allows the consideration of the issue and work to begin sooner.

The NIIF, like all ATIS-sponsored committees, acknowledges that any company has as its first avenue, the opportunity to deal one-on-one with any company with which it wants to do business or from which it seeks specific services. Assuming, however, that an interested party chooses to bring an issue to the NIIF, the issue must meet certain acceptance criteria. A proposed issue must satisfy the NIIF mission statement as well as the mission statement of one of the five standing committees where the work is to be done. The issue must also be a "customer-provider" issue and be industry-wide in scope.⁵ This, of course, extends to the acceptance of ESP issues. The NIIF will also investigate whether a solution already exists.

Upon meeting these criteria, the issue is accepted. The process of getting the issue accepted requires that the issue originator explain the nature of the issue to the NIIF or committee participants, who then review, consider, and debate whether the issue is an appropriate one for the NIIF and its standing committees to pursue and resolve. Upon completion of this acceptance process and if all criteria have been met, an issue receives a number and work on the issue begins.

The NIIF will accept issues from those who are regular participants as well as those who

⁵ To be "industry-wide" in scope, an issue must cause impact to multiple customers and/or multiple providers. The issue, itself, must impact at least one provider and more than one customer, or at least one customer, and more than one provider. Industry-wide in scope may include cross-border issues. CLC Principles and Procedures, Attachment B at 27. (February 1997). See infra Attachment 1.

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may have a narrow or one-time interest in a single issue. Whether the issue originator is a regular participant or a one-time contributor, the issue originator may continue to champion the issue and shepherd it through the committee processes. A participant other than the originator may also choose to support and champion the issue and facilitate its movement through the resolution process. Given that the NIIF is a contribution-driven process, having an issue champion is important to encouraging contributions and supporting continued focus and work by the NIIF and its committees. Without an originator or an issue champion, the NIIF may table or withdraw issues from further work for lack of contributions and interest.⁶

Generally, the substantive work on an issue is done in the five NIIF standing committees. The standing committees have been formed to address particular areas associated with the provision of telecommunications services as identified by their respective mission statements. The NTC provides the opportunity for participating service providers and vendors/manufacturers of telecommunications equipment to develop internetwork test scenarios and scripts, as well as perform tests in a controlled environment. The committee facilitates the exchange of information

⁶ See *infra* the NIIF Issue Index at Attachment 2. The NIIF Issue Index logs the status of the issues with the NIIF and its committees. Four (4) issues have been tabled, and nine (9) issues have been withdrawn. A “tabled” issue is an issue which has been addressed to some degree by the NIIF but is inactive and awaiting further information. A “withdrawn issue” is one which has been accepted and later withdrawn by the originator or by the consensus of the NIIF in the absence of the originator or a representative of the originating company. The originator has the prerogative of withdrawing the issue. However, if the originator is not represented at the meeting, and the committee has determined that the issue should be withdrawn, then the committee leadership shall contact the originator to determine the originator’s perspective on the proposed withdrawal. In the event this input cannot be obtained within two meeting cycles, the committee has the prerogative to withdraw the issue. The withdrawal of the issue shall be based on the consensus of the committee. NIIF Principles and Procedures, § 6.3 at 17; see also CLC Principles and Procedures § 6.8.4 at p. 12.

regarding the interconnectivity of networks and equipment (hardware and software) and specific applications towards maintaining the highest standards of network reliability and integrity.

The NIMC addresses and resolves industry-wide issues related to the Installation, Maintenance and Testing guidelines for exchange access, interconnected telecommunications and signaling networks to promote industry progress and network reliability, and facilitates the exchange of information concerning these topics.

The NMC addresses and resolves industry-wide issues related to the network management activities associated with interconnected telecommunications and signaling networks to promote industry progress and network reliability, and facilitates the exchange of information concerning these topics.

The NRRIC addresses and resolves issues associated with local exchange rating and routing mechanisms, including associated databases, and related topics, to facilitate the exchange of information concerning these topics to support maintaining the highest standards of network rating and routing information and integrity.

The NIAC addresses and resolves industry-wide issues associated with telecommunications network architecture and technical interconnection, including Open Network Architecture ("ONA") and/or network interaction, and facilitates the exchange of information concerning these topics. The NIAC had as one of its first undertakings those unresolved IILC issues that were transferred to it in the IILC/NIIF reorganization. Unique to the NIAC are the additional processes related to the Enhanced Service Provider ("ESP") Service Request - Systematic Uniformity Process as well as ESP informational/educational requests.

Each of the NIIF committees is structured to have co-chairs to facilitate the discussion of issues assigned to the respective committees, each chair being from a different industry segment to afford a balanced approach to the discussion of issues.

The substantive progress of issues in the committees is reported and tracked at the NIIF General Session. The committees continue to deliberate on the issues at each of their meetings until consensus is reached and the issue can be placed into the status called "initial closure."

"Initial closure" is notice to the industry that an initial resolution has been reached and the issue is planned to go into the status of "final closure" at the next NIIF General Session. Upon reaching "initial closure," the resolution is reported to the NIIF General Session and notice is provided via the meeting record, now electronically posted on the NIIF homepage.⁷ At least one NIIF meeting cycle or no less than a period of six weeks shall pass before an issue can move into the status called "final closure". This period of time is designed to provide an opportunity for interested parties to review the resolution and should the need arise, offer further comment. If during the final closure process of issue closure, the participants of the General Session determine that the issue requires further deliberation, the issue will be remanded back to the appropriate committee, then the issue will be addressed prior to the issue being re-introduced to the General Session. All input is considered, but only those specific recommendations which have the consensus support of the NIIF are ultimately included in the resolution.

Once the requisite time has passed, the co-chairs of the standing committees again present

⁷ The address for the NIIF homepage on the ATIS website is <http://www.atis.org/atis/clc/niif>.

the issue to the NIIF at its General Session for “final closure.” “Final closure” is notice to the industry that consensus has been reached on the resolution of an issue and the issue is now complete. Of course, if any participant has any concerns with the resolution of an issue at any step of the process, whether it be a substantive concern with the proposed resolution, or a procedural concern with the way the issue has been handled in the NIIF process, they are encouraged to provide comments.

When a consensus resolution reaches final closure, its implementation is voluntary and nonbinding. Implementation is a business decision and is determined by those individuals, participants, companies, and organizations that participate in the NIIF. The NIIF does not control which services are offered by the participating companies; nor does it control how services are offered. Being a forum under the auspices of the CLC, the NIIF also supports that while it is within the independent and voluntary discretion of each participating company as to whether or not it will implement any specific resolution, broad and consistent implementation of NIIF resolutions is a fundamental goal of the NIIF.⁸

The NIIF issue resolution process is designed to afford a full and fair opportunity for participants as well as interested parties to raise and discuss issues, views, objections, and concerns before reaching final agreement on the outcome of a matter. Efforts are made to work toward rapid and timely resolution of issues. This goal is balanced with the need to ensure that resolutions for all of the involved participants are fair and practical.

⁸ CLC Principles and Procedures § 6.8.8 at 12, see also CLC Principles and Procedures §4(5).

II. THE NIIF'S NETWORK INTERCONNECTION ARCHITECTURE COMMITTEE AND ITS CURRENT PROCESSES IN SUPPORT OF ENHANCED SERVICE PROVIDERS' REQUESTS

In its Further Notice, the Commission raises a number of questions regarding existing Open Network Architecture (ONA) processes as first implemented in the IILC, and with the 1996 reorganization of certain ATIS committees, now fully absorbed by the NIIF.⁹ These "ESP" processes, specifically the Systematic Uniformity Process and any informational requests by ESPs, are now contained in the Network Interconnection Architecture Committee - the NIAC of the NIIF. Thus, for purposes of providing information generally, as well as addressing these specific Commission questions on the processes available to ESPs within the NIIF, the following discussion will focus mainly on the NIAC and its activities. The NIIF also notes that the processes of the other four NIIF standing committees are also open to any ESP and ESP-related issues that are within the mission and scope of the respective standing committees. The ESPs are not confined solely to the NIAC.¹⁰ Further, to ensure that the issues are recognized as being ESP-generated and afforded due attention by the NIIF committees, the NIIF issue statement form includes the information as to whether the request was generated by an ESP.¹¹

The NIAC utilizes the same Systematic Uniformity Process developed by the IILC

⁹ See discussion of ATIS reorganization *supra* p.4, n.2.

¹⁰ For example, should an ESP have a particular issue which relates to installation and maintenance concerns, the issue may be most appropriately addressed by the NIMC and not the NIAC. Currently, there are no ESP-identified issues residing in any NIIF standing committee other than the NIAC.

¹¹ See Attachment 3 which is an NIIF issue statement form.

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in 1990 to resolve ESP service request issues. It provides a systematic framework to facilitate the uniform development and deployment of ONA services. It is a four-step process which is initiated by an ESP request, thereafter substantiated by a description of functionality, documented by a technical description, and considered for technical feasibility. As a candidate service moves through this process, each step is completed, thereby providing appropriate inputs to each successive step. Further, while the process is designed to provide every opportunity for the uniform development and deployment of an ONA service, a mechanism has been incorporated at appropriate points in the process to allow for future reconsideration of any service request that does not complete the entire process.

The NIIF notes, however, that the Systematic Uniformity Process does not dictate the implementation of the uniform service request. Implementation is an individual company decision even though achieving uniformity is part of the desired result. At the heart of the Systematic Uniformity Process is the description of functionality being requested by the service provider with the goal being that the service request will be as complete a technical description as possible so that a network provider may respond whether it would be technically feasible to implement the request. The process requires a "give and take" by both interests.

With regard to the NIAC processes, particularly the Systematic Uniformity Process and any ESP informational requests, consensus signifies that the NIIF/NIAC has systematically reviewed an issue, sought to address it in a professional manner that meets the needs of the issue originator, and has reached an initial substantial agreement on findings, recommendations, and/or technical descriptions of possible services to be offered. A finding and/or a recommendation for

an ESP service request that has received the initial consensus of the NIAC and ultimately, the consensus of the NIIF, provides participants with documentation that can be used in the public domain or in interaction with individual companies as the provision of these services are contemplated.

The NIIF submits that an important part of its processes to address ESP issues in the NIAC is the acceptance that consensus, whether it be the result of the issue resolution process or specifically, the Systematic Uniformity Process, is not an agreement to uniformly implement the proposed service nor the technology on a national basis. Nor are these processes intended to usurp a participating company's ability to make independent business judgements and implementation plans.

Further, the output of the Systematic Uniformity Process may serve as the starting point for consideration of whether an ESP service will be offered on a regional, local, or niche market basis. That being the case, the NIIF would have no further information nor role in the rollout of a regional, local, or niche market ESP service, unless some additional aspect of the service's implementation was raised at the NIIF as an industry-wide issue. Otherwise, such services are appropriately the subject of negotiations between the respective BOC or GTE and the ESP seeking the service. It is also the case that an ESP's initial request for a service may be raised directly with the BOC or GTE and never engage the NIAC processes.

As such, the NIAC's role is limited to those issues brought before it by an interested party and defined as having impacts which are industry-wide in their scope.¹² It is in this context which

¹² See *supra* p.7, n.5.

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the NIIF emphasizes its important but somewhat narrower role in the provision of ONA services. This also may offer some explanation for the relatively limited participation by the ESP community both during the tenure of the IILC, particularly in its final year of operation - 1996, as well as during the first year of the NIIF's existence.¹³ ESPs have varying approaches to entering the market and offering their services. Certainly, the NIIF presents an option to work those issues related to offering a national ESP service or one that has industry-wide impacts. But it is an equally viable and perhaps a more direct approach for those ESPs targeting regional or local markets to enter into direct negotiations with the service provider which serves the ESP's market. An ESP's choice as to how it wants to enter the market is an independent business decision. The NIIF simply reaffirms that it is just one way for ESPs to get their industry-wide issues worked. Further, the NIIF emphasizes the availability of its processes to the ESP marketplace and encourages ESP participation.

To this end, the NIIF is aware that certain concerns had been expressed by certain members of the ESP community regarding the ATIS reorganization of the IILC and two other of its forums, to create the NIIF, at the time the reorganization was in its infancy. The specific concerns were : 1) the lack of a single forum within which the ESPs could raise concerns given

¹³ During 1996, the final year of the IILC's operation, nine different ESPs attended at least one of the four meetings of the full IILC. In some cases, service providers encouraged the participation of regional and local ESPs to attend the IILC meetings as these meetings were moved about the country and a particular location afforded their attendance. The IILC continued to seek additional attendance and undertook certain recruitment efforts to encourage wider participation. During 1997, three different ESPs participated in at least one of the NIAC meetings. There were seven NIAC meetings held in conjunction with the NIIF General Session in 1997. There was also one interim NIAC meeting and three conference calls for the purpose of addressing a specific NIIF issue.

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that the NIIF has five standing committees; 2) the number of meetings that had been anticipated by the NIIF being too high and the possible simultaneous scheduling of standing committee meetings; 3) projected issues relating to support and administrative costs for NIIF and committee meetings; and 4) no guaranteed role for ESPs or other non-carriers in a governing or policy-making function.¹⁴ While these issues were raised just after the NIIF held its organizational meeting and its processes were yet to be fully defined, the NIIF maintains that these concerns have not been borne out and are addressed in its now, more mature and defined processes.

With regard to the concern over the lack of a single forum for ESPs to work their issues, the ESP processes are localized in the NIAC. As stated earlier, while ESPs have the opportunity to raise their issues in any of the NIIF committees or any ATIS committee with the requisite subject matter expertise - an opportunity which affords them flexibility - those processes which directly support the provision of ESP services are addressed in the NIAC exclusively. To date, no other ESP-designated issues have been raised in the four other NIIF committees and no new issues have been brought to the NIAC itself. In fact, to date, there are currently only four issues that have been designated ESP issues, issues which were introduced at the IILC and now reside in the NIAC as a result of the reorganization.¹⁵ Two of these issues are closed and two have been

¹⁴ Letter from Herta Tucker, Executive Vice President of the Association of Telemessaging Services International ("ATSI"), to the Honorable Reed E. Hundt, Chairman of the Federal Communications Commission (March 31, 1997).

¹⁵ They are: Issue #0004 - Advanced Intelligent Network (AIN) Access by Non-LEC Resource Element (Tabled January 7, 1997); Issue #0005 - Delivery of Intra-LATA (NPA) 555-XXXX Dialed Calls To A Service Provider (Final Closure January 6, 1997); Issue #0011 - ISDN Information For ESPs (Final Closure February 11, 1998); and Issue #0012 - Identify and Define Specific Mediation Functions For "Create-Call" (Tabled January 6, 1997). See Attachment 4 for

tabled at the request of the ESP issue originator.

As respects the concern with frequency of NIIF meetings and simultaneous standing committee meetings, again, these ESP concerns do not seem to have materialized. The NIIF held seven General Session meetings in 1997. Needs dictated that certain committees hold interim meetings and conference calls. The NIAC held seven meetings in 1997 in conjunction with the NIIF General Session, affording still an additional opportunity for ESPs to not only bring issues to the NIAC, but also to the NIIF General Sessions, if the timing of the NIAC meetings was inconvenient. Efforts are made to coordinate meetings and encourage conference calls where and when possible. In fact, the consensus of the committee determines the need for additional meetings, the agenda for those meetings and the location of the meetings. In addition, the NIIF and the NIAC would consider a special request for a teleconference link into a meeting if it became impossible for an ESP to attend a meeting to introduce or champion an issue.¹⁶ But no such requests have come to the NIIF or the NIAC. If the ESP community has a suggested improvement to the NIIF processes which would assist in ESP participation, the NIIF welcomes such input. The NIIF maintains that its processes must meet the need of its participants and its

these issue statements.

¹⁶ It should be noted that the NIIF would likely support the use of remote teleconferences more on an exceptional basis rather than as a regular mode of conducting a meeting. This is largely because of the logistics and the ability for the discussions to be conducted easily and clearly, as well as the expenses related to conducting NIIF business in this fashion. However, all requests of this nature would be evaluated and decided based on the merits of the request. Further, the NIIF notes that its Principles and Procedures provides high level guidelines for conducting virtual meetings and would sanction such meetings as “official” NIIF meetings. The NIIF continues to explore this meeting option for its future business.

desired audience for it to be effective.

With regard to the third concern relating to administrative support costs for NIIF meetings and activities, the NIIF has resolved these matters. As correctly noted by the ESPs, the BOCs provided the administrative support for the IILC and covered its related costs through Bellcore. Bellcore did not, however, cover the costs of producing and distributing copies of IILC documentation. In 1996, ATIS administered a subscription fee of \$200.00 annually to cover the costs of producing, distributing, and mailing IILC-generated materials. All IILC participants were required to pay this fee if they wanted to receive the IILC materials.

Since that time and with significant changes in the industry, a larger number of more diverse industry players are benefitting from the NIIF processes. As such, ATIS, as NIIF sponsor, administers a participant fee to cover the administrative and related support costs attendant with the operation of the NIIF and its committees. The intent of this annual fee is to have those who participate in the NIIF activities, and thus generate the costs, assist in paying for a portion of those costs. The size of the fee borne by the participants is tied to the amount of annual revenues that the participating company generates in the provision of telecommunications services. For ESPs, the 1997 NIIF annual participant fee was \$350.00 and in 1998, the fee is \$470.00.¹⁷ This amount is not much more than was charged by the IILC in 1996 for documents, and the scope of the services provided have broadened. To date, neither the NIIF nor ATIS has been in receipt of a complaint from the ESPs regarding this participant fee.

¹⁷ Fees at the upper end of the participant fee scale were \$7,500 in 1997 and \$14,000 in 1998. These fees were paid by the larger participants, including the BOCs, GTE, MCI, Sprint, etc.

With respect to the final concern on the opportunity for the ESPs to hold “ a meaningful level of participation on the body’s governing council,”¹⁸ the NIIF’s processes provide for co-chairs for each committee and that the co-chairs be from different industry segments to afford balanced leadership. The NIIF itself is led by a Moderator and Assistant Moderator, also from different industry segments. As for these leadership positions, they are open to those who have an interest and receive the support of the NIIF. To date, no ESPs have sought these leadership positions. There are no other governing structures within the NIIF or its committees. Consensus of the entire committee and the full NIIF is the vehicle for decision making.

The NIIF continues to encourage the active participation of the ESP community as well as recommendations from ESPs on how the NIIF may improve its processes and operations to instill a renewed ESP interest in the NIIF and the NIAC. The NIIF believes that it has put forth its best effort to transition the work of the IILC to the NIAC while creating processes in the NIIF that continue to allow for the needs of the ESP community to be effectively, efficiently, and openly addressed in the Forum.

**III. THE NIIF’S NETWORK INTERCONNECTION ARCHITECTURE
COMMITTEE PROCESSES IN RELATION TO THE BOC/GTE 120-DAY
REQUEST PROCESS**

The NIIF specifically notes the Commission’s inquiries with respect to the processes in the NIIF’s NIAC which could substitute for the current regulatory framework that the BOCs and GTE are subject to, such as the 120-day request process,¹⁹ as well as any information collected

¹⁸ See *supra* p. 16, n.14.

¹⁹ Further Notice, at ¶ 88.

and compiled by ATIS and/or the NIIF which may be “duplicative of that required by the Commission.”²⁰ The NIAC processes in support of ESP needs are designed to work in parallel with the current regulatory framework for ONA services. They are not designed, at this time, to act in lieu of these obligations and processes. As stated earlier, the NIIF processes are not intended to take the place of any independent business decisions related to what services a company will offer or whether a company will actually implement the service. However, should the Commission ultimately decide that it would be appropriate for those issues from requesting ESPs which are technical and operational in nature and arise in the context of the BOC/GTE 120-day request process to be addressed within the NIIF, the NIIF would continue to offer its processes consistent with its stated mission.

In this regard, the NIIF submits that it takes no position as to whether the 120-day request process should be eliminated. Nor is it appropriate for the NIIF to comment on whether the BOCs and GTE should continue to be subject to the reporting requirements of Computer III and the ONA regime or the adequacy of the information that the BOCs and GTE provide to the NIIF regarding their ONA services (i.e. the Technical Analysis Group (“TAG”) provides a read-out at the NIAC meetings on the ONA Services User Guide, the Regional BOC (“RBOC”) NIIF/IILC Closed Issues Report Card, and the RBOC Operational Support Systems Matrix). The NIIF dovetails its own activities to the current regulatory framework, including the BOC/GTE reporting requirements. If the regulatory framework and the related BOC/GTE reporting requirements were to change, the NIIF could respond and adapt its processes accordingly and as

²⁰ Further Notice, at ¶ 101(c).

appropriate.

The Commission also seeks comment on the nature of the periodic updates received by the NIIF from the BOCs regarding uniformity issues that have been resolved.²¹ Currently, the NIIF has a standing agenda item at each NIAC meeting for a TAG report on the status of the uniformity issues that have been resolved by the BOCs. The TAG consists of BOC representatives, and its report is the vehicle by which the BOCs provide an update of their activities regarding uniformity issues that have been resolved. The TAG report generally consists of a “report card” on the progress of the BOCs in implementing the ESP-requested service elements and is included in the meeting record of the NIAC.²² This meeting record is posted on the NIIF homepage. Certainly, to the extent that the NIIF/NIAC participants want to discuss the TAG report or have questions regarding its content, the NIAC is the venue where this dialogue occurs.

In terms of other sources of information produced by ATIS or the NIIF that may reasonably substitute for the current ONA reporting requirements,²³ the NIIF posts all of the available information regarding its activities as well as the activities of its five standing committees on its homepage. The NIIF has not, however, assessed whether any information it provides would or could “reasonably substitute for the current ONA reporting requirement.”²⁴ As previously stated, the NIIF takes no position regarding the current regulatory reporting

²¹ Further Notice, at ¶ 106.

²² During the first year of the NIIF/NIAC’s operation, the TAG provided reports at two of the seven NIIF meetings.

²³ Further Notice, at ¶ 106.

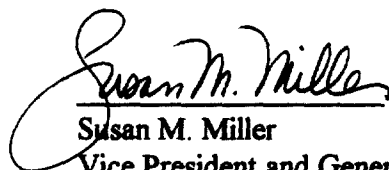
²⁴ Further Notice, at ¶ 106.

requirements of the BOCs and GTE.

IV. CONCLUSION

For the foregoing reasons, the ATIS-sponsored NIIF respectfully submits these comments in CC Docket 98-10 and CC Docket 95-20 in an effort to provide information regarding its structure and processes as well as to clarify its role in the context of the current ONA regulatory framework and in response to enhanced service providers requests. As stated herein, should the Commission ultimately decide that it would be appropriate for those issues from requesting ESPs which are technical and operational in nature and arise in the context of the BOC/GTE 120-day request process to be addressed within the NIIF, the NIIF would continue to offer its processes for those issues consistent with its stated mission. As stated throughout these comments, the NIIF encourages and invites the ESP community to actively participate in the open processes of the NIIF and in particular, in the activities of the NIAC. Only through such participation and active interest will the NIIF processes be able to respond more fully to the ESP community and its needs.

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